

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES)
ex rel. NATHAN DAVIDHEISER,)
)
and)
)
COMMONWEALTH OF VIRGINIA,)
ex rel. NATHAN DAVIDHEISER,)
)
Plaintiffs,)
)
) No.: 1:16-cv-316-TSE-IDD
v.)
)
UNIVERSAL CONCRETE PRODUCTS)
CORPORATION, et al.)
)
)
Defendants.)

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE BY UNITED STATES AND
COMMONWEALTH OF VIRGINIA
AND
PARTIAL DISMISSAL WITH PREJUDICE BY NATHAN DAVIDHEISER

Pursuant to Rule 41(A)(1)(ii) of the Federal Rules of Civil Procedure, the United States of America and the Commonwealth of Virginia hereby dismiss with prejudice the Amended Consolidated Complaint in Intervention (Dkt. No. 34) (“the Government’s Complaint”) against Defendants Universal Concrete Products Corporation and Donald Faust, Jr., pursuant to the terms of the Settlement Agreement executed among the parties on January 22, 2019 (“the Settlement Agreement”). Pursuant to 31 U.S.C. § 3730(c) and Va. Code Ann. § 8.01-216.6, Relator Nathan Davidheiser consents to the dismissal of the Government’s Complaint with prejudice.

Pursuant to Rule 41(A)(1)(ii), Relator Nathan Davidheiser hereby dismisses with prejudice Counts I – IV of Relator’s Second Amended Complaint (Dkt. No. 63). Pursuant to 31 U.S.C. § 3730(b)(1) and Va. Code Ann. § 8.01-216.6, the United States and the Commonwealth of Virginia consent to dismissal of Counts I – IV of Relator’s Second Amended Complaint with prejudice, pursuant to the terms of the Settlement Agreement. Counts V-VII of Relator’s Amended Complaint are not dismissed.

Each party shall bear its own costs for litigation of the dismissed claims, except as set forth in the Settlement Agreement.

Dated: January 28, 2019

AGREED TO:

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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of electronic filing (NEF) to all counsel of record.

/s/

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